REMARKS

In the Office Action dated April 7, 2004, the Examiner states that this application contains the following groups of inventions that are not so linked as to form a single general inventive concept under PCT Rule 13.1.

I. Claims 1-26 and 29-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is formula (iv).

II. Claims 1-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is formula (v).

III. Claims 1-26 and 29-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is formula (vi).

IV. Claims 1-26 and 29-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is formula (vii).

V. Claims 1-26 and 29-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is formula (viii).

The Examiner also alleges that the claims are directed to more than one species of the generic invention and that these species lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1. More specifically, the Examiner requested the applicant to elect a single species (a single compound and one pain-associated medical condition) and to identify the claims readable on the elected species.

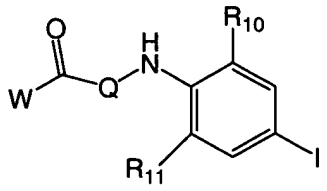
In order to be fully responsive to the Examiner's requirements for restriction, Applicants provisionally elect, with traverse, to prosecute the subject matter of Group II, Claims 1-32, drawn to a method of treating chronic pain by employing compounds with formula I, wherein Z is (v). Applicants also elect the species, 7-fluoro-6-(4-iodo-2-methyl-phenylamino)-

1H-benzoimidazole-5-carbozylic acid cyclopropylmethoxy-amide which is disclosed in Claim 31 of the present application.

However, pursuant to 37 C.F.R. §§1.111 and 1.143, Applicants hereby traverse the Examiner's requirement for restriction and request reconsideration thereof in view of the following remarks.

A requirement for restriction presupposes an analysis of the subject application in light of the rules governing this practice, i.e., 37 C.F.R. §1.499 and PCT Rules 13.1 and 13.2. PCT Rule 13.1, first sentence, states: "The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ('requirement of unity of invention')." (Emphasis added.) PCT Rule 13.2 states: "The expression "technical features' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art." (Emphasis added.)

Applicants submit that Groups I-V are not distinct as the Examiner has alleged, but rather represent one single inventive concept warranting examination in a single application. Each claim of the present application relates to a method of treating chronic pain using an MEK inhibitor. Each MEK inhibitor of the claimed invention shares the following same core structure:

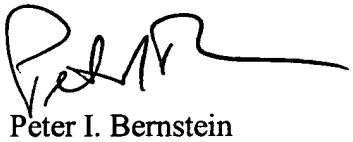


wherein R_{10}, R_{11}, Q, and W are as defined in the specification.

Accordingly, each of the claims of the present invention are related to each other as different aspects of a single invention. It is submitted that each of the claimed inventions, when considered as a whole, defines a contribution over the prior art.

Accordingly, it is respectfully submitted that claims 1-32 satisfy the requirements for unity of invention. Applicants respectfully urge that the Examiner reconsider and withdraw the requirement for restriction and provide an action on the merits with respect to all the claims.

Respectfully submitted,



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